

Message Text

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INFO AMEMBASSY MEXICO

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C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 8024

E.O. 11652: GDS

TAGS: ELAB, PINT, MILI, AR, ILO, ICFTU

SUBJECT: UNION LEADERSHIP INDECISIVE AS TRADE UNION GUIDELINES

RUN INTO SNAGS

REF: (A) BUENOS AIRES 6081 (B) BUENOS AIRES 7214; (C) BUENOS AIRES
7825; (D) BUENOS AIRES 7853

1. SUMMARY. A PREVIOUS REPORT DESCRIBED HOW THE GOA PUT ITS BEST FOOT FORWARD AT THE RECENT ILO GOVERNING BODY MEETING IN GENEVA BY RELEASING SIMULTANEOUSLY DRAFT GUIDELINES FOR REORGANIZING AND NORMALIZING TRADE UNION ACTIVITIES. THE PROPOSED GUIDELINES DISCUSSED IN THIS REPORT ARE SEEN AS AN ATTEMPT BY THE MODERATE LABOR MINISTER TO RETAIN THE BASIC FEATURES OF THE PREVIOUSLY EXISTING SYSTEM, ALTHOUGH PERMITTING A GREATER DEGREE OF UNION DEMOCRACY AND UNION RESPONSIBILITY AT THE LOCAL LEVEL. HOWEVER, HARD-LINERS IN THE NAVY WANT MORE SWEEPING CHANGES AND SUSPECT THE MINISTER'S MOTIVES. ALTHOUGH THE JUNTA HAS DELAYED IN GRANTING ITS APPROVAL, A LABOR MINISTRY OFFICIAL EXPECTS A FAVORABLE DECISION IN THE NEAR FUTURE. THE UNIONS THEMSELVES HAVE GONE THROUGH A BEWILDERING EXERCISE OF FORMING A SERIES OF COMMITTEES AIMED AT ACCELERATING THE PROCESS OF NORMALIZATION, BUT THESE HAVE REVEALED WEAKNESSES AND DIVISIONS IN THE UNION MOVEMENT. THE UNION REPRESENTATIVES HAVE BEEN TRYING SINCE JULY TO ORGANIZE A GENERAL CONCLAVE OF THE UNION LEADERS IN THE COUNTRY

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IN ORDER TO DISCUSS THE VITAL ISSUES AND TO ELECT A REPRESENTATIVE

LEADERSHIP ADEQUATE FOR THE TIMES,BUT WITHOUT ANY LUCK. THE CGT INTERVENTOR RECENTLY TOLD THEM THAT THE MOMENT WAS INOPPORTUNE, BUT A LABOR MINISTRY'S OFFICIAL SAYS THE UNIONS WILL BE CONSULT-ED ON THE TRADE UNION GUIDELINES ONCE THEY HAVE BEEN APPROVED BY THE JUNTA AND BEFORE THE NEW TRADE UNION DECREE IS DRAFTED.
END SUMMARY.

2. AT THE BEGINNING OF NOVEMBER,THE LABOR MINISTRY REVEALED TO THE PRESS THE GUIDELINES WHICH IT WAS PROPOSING AS THE BASIS FOR REVISING THE TRADE UNION LAW (LEY DE ASOCIACIONES PROFESIONALES). THE JUNTA DISCUSSED THE PROPOSED GUIDELINES IN ITS MEETING OF NOVEMBER 4, AND AT LEAST ONE NEWSPAPER REPORTED AT THE TIME THAT THE JUNTA HAD APPROVED THE MINISTRY'S PROPOSAL. THE TIMING OF THESE DEVELOPMENTS LEFT LITTLE DOUBT THAT THEY WERE INTENDED TO MAKE THE MOST FAVORABLE IMPACT POSSIBLE AT THE 201ST SESSION OF THE ILO GOVERNING BODY, WHICH BEGAN NOVEMBER 5. IT IS A PARADOXICAL -- AND POSSIBLY A SIGNIFICANTLY REVEALING FACT-- THAT A FEW DAYS LATER, ON NOVEMBER 9, THE ACTING CGT INTERVENTOR, AIR FORCE COMODORO PORCILE, INFORMED THE SO-CALLED "INTERGROUP COMMITTEE OF SEVEN" TRADE UNION REPRESENTATIVES THAT THE MOMENT WAS NOT OPPORTUNE FOR CONVOKING A GENERAL PLENARY OF ALL NATIONAL SECRETARIES-GENERAL IN THE COUNTRY FOR THE PURPOSE OF DISCUSSING THE WHOLE GAMUT OF POLITICAL, ECONOMIC AND SOCIAL ISSUES CONFRONTING THE WORKING CLASS AND THE NATION. IT WILL BE RECALLED THAT THE UNION LEADERS HAD BEEN TRYING TO GET SUCH A CONCLAVE APPROVED SINCE JULY (SEE REFTEL A), BUT WITHOUT ANY SUCCESS. (PORCILE, INCIDENTALLY, ALSO LET IT BE KNOWN TO THE UNION LEADERS THAT HE CONSIDERED THE CONGRATULATORY MESSAGE WHICH SOME OF THEM HAD SENT TO THE AFL-CIO ON THE OCCASION OF THE ELECTION OF GOVERNOR CARTER AS BEING OUT-OF-ORDER).

3. FACED WITH PORCILE'S NEGATIVE AND IN THE ABSENCE OF ANY RESPONSE FROM LABOR MINISTER LIENDO THE "COMMITTEE OF SEVEN'S NOTE OF NOVEMBER 11 (NOT NOVEMBER 23 AS REPORTED REFTEL C) ZEROING IN ON SHARPLY DECLINING WORKERS REAL WAGES ("WHILE CORPORATE PROFITS SOUR"), THE COMMITTEE THEN DECIDED TO DRAFT A MORE COMPREHENSIVE STATEMENT REFLECTING THE LABOR MOVEMENT'S VIEWS CONCERNING THE CURRENT SITUATION. HOWEVER, IN THE WAKE OF REPORTS OF THE LABOR MINISTRY'S DISSATISFACTION WITH THEIR LATEST INITIATIVES, SOME OF THE LEADERS EVIDENTLY HAVE GOTTEN CONFIDENTIAL

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COLD FEET AND IT IS NOW QUESTIONABLE WHETHER THE STATEMENT WILL BE RELEASED. THE FACT OF THE MATTER IS THAT, DESPITE PRESSURES FROM THE RANK AND FILE ON THE LEADERSHIP TO DO SOMETHING ABOUT THE WAGE SITUATION, UNION LEADERS APPEAR TO BE DIVIDED OVER STRATEGY AND GIVE THE IMPRESSION THAT THEY ARE FLOUNDERING AROUND INEFFECTUALLY. THEY HAVE FORMED A BEWILDERING SERIES OF OVERLAPPING AD HOC COMMITTEES AIMED AT PUTTING PRESSURE ON THE GOVERNMENT TO ACCELERATE THE PROCESS OF TRADE UNION NOR-

MALIZATION AND TO AUTHORIZE A NATIONAL PLENARY AT WHICH A REPRESENTATIVE LEADERSHIP FOR THE ENTIRE LABOR MOVEMENT COULD BE ELECTED, BUT THESE COMMITTEES SEEM TO EBB AND FLOW WITHOUT ANY CONCRETE RESULTS. IN JULY THERE WAS ESTABLISHED A "COMMITTEE OF TEN", WHICH LATER EXPANDED TO 12, REPRESENTING BOTH INTERVENED AND NON-INTERVENED UNIONS. THEN A STREAMLINED VERSION OF THE "COMMITTEE OF TWELVE" WAS FORMED, CALLED THE "COMMITTEE OF FIVE," BUT THIS TOO APPEARS TO HAVE FADED SOMEWHAT INTO THE BACKGROUND IN RECENT WEEKS, AT LEAST EMPORARILY. THE "COMMITTEE OF FIVE" AT ONE POINT, CONSISTED OF OSCAR SMITH OF THE INTERVENED LIGHT AND POWER WORKERS UNION; FERNANDO DONAIRES OF THE PAPER WORKERS; FLORENCIO CARRZNA OF THE COMMERCAIL WORKERS; MANUEL DIZ REY OF THE TRAVELLING SALESMEN, AND JUAN HORVATH OF THE STATE EMPLOYEES. THE TRADE UNION REPRESENTATIVES RECEIVING THE MOST ATTENTION AT THE MEMENT ARE THE "INTERGROUP COMMITTEE OF SEVEN", CONSISTING ENTIRELY OF LEADERS OF NON-INTERVENED UNIONS -- ONE FOR EACH OF THE SEVEN UNION DIVISIONS OR GROUPS IN WHICH THE CGT HAS BEEN ARBITRARILY DIVIDED BY THE MILITARY INTERVENTORS. BECAUSE IT REPRESENTS THE NON-INTERVENED UNIONS, THE "COMMITTEE OF SEVEN" HAS ENTREE WITH THE CGT INTERVENTORS, WHICH THE OTHER COMMISSIONS DO NOT. THE SEVEN CURRENTLY CONSIST OF RICARDO PEREZ (TRUCK DRIVERS); JUAN RACCHINI (SOFT DRINKS WORKERS); DIZ REY (TRAVELLING SALESMEN); LIVIO MASSAGATTI (MERCHANT SEAMEN); JUAN SERRANO (TIRE PLANT WORKERS); DEMETRIO LORENZO (FOOD INDUSTRY WORKERS); AND JOSE CASTILLO (NAVAL MACHINISTS). IN CONTRAST WITH THE INEFFECTUAL RESULTS OF THESE COMMITTEES, THE MOST IMPRESSIVE THINGS THE UNIONS HAVE CARRIED OFF SO FAR REMAINS THE HANDFUL OF STRIKES OR LABOR CONFLICT THAT HAVE TAKEN PLACE SINCE SEPTEMBER 2, BUT AS WE HAVE REPORTED ELSEWHERE, THE RESULTS OF THE STRIKES HAVE BEEN MIXED AND THE DYNAMICS OF THE LEADERSHIP INVOLVED HAVE REMAINED MISTY.

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C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 8024

4. PRESS ACCOUNTS AT THE BEGINNING OF NOVEMBER DESCRIBED THE LABOR MINISTRY'S DRAFT GUIDELINES AS LEAVING SUBSTANTIALLY UNMODIFIED THE PERONIST LAW 20,615 (ISSUED IN 1973), BUT AS ALSO REINJECTING THE FEDERALIST SPIRIT OF DECREE 976 OF THE ILLIA ADMINISTRATION, WHICH WAS AN EXPERIMENT IN STRENGTHENING THE AUTONOMY OF LOCAL UNIONS AT THE EXPENSE OF THE NATIONAL CENTRAL AND NATIONAL UNIONS. THE PRESS CARRIED CONTRADICTORY VERSIONS OF THE LABOR MINISTRY'S PROPOSALS, PERHAPS BECAUSE SOME ACCOUNTS INCLUDED INPUTS FROM OTHER GOVERNMENT AGENCIES AS WELL. THE TRADITIONAL PRINCIPLES WHICH APPEARED TO BE LEFT UNTOUCHED INCLUDED: (A) WORKER FREEDOM TO JOIN A UNION; NOT TO JOIN OR TO DISAFFILIATE; (B) CONTINUATION OF THE CURRENT SYSTEM OF VERTICAL AND HORIZONTAL UNIONS, DISCOURAGING THE CREATION OF COMPANY UNIONS; (C) CONTINUATION OF THE EMPLOYER'S OBLIGATION TO CHECK OFF UNION DUES; (D) GRANTING EXCLUSIVE LEGAL STATUS TO THE MOST REPRESENTATIVE UNION IN EACH SECTOR, I.E. RESPECTING THE PERONIST TRADITION OF "SOLE UNIONS" AND REJECTING THE "PLURALIST" EXPERIMENT OF THE YEARS 1956-57. HOWEVER, THE DISCUSSIONS THAT FOLLOWED ON THIS POINT SEEMED CONFUSED, SOME ACCOUNTS SUGGESTING THAT A THIRTY PERCENT VOTE WOULD BE SUFFICIENT TO ESTABLISH REPRESENTATIVITY. THE DISCUSSION ALSO LEFT UNCLEAR WHAT CRITERION WOULD BE ESTABLISHED BY THE LABOR MINISTRY IN SELECTING THE MOST REPRESENTATIVE UNION IN EACH SECTOR. THE PRINCIPLES APPEARING TO INCLUDE INNOVATING IDEAS WERE: (A) ELECTION OF UNION BOARDS BY DIRECT, SECRET VOTE
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OF THE MEMBERS, BUT ELECTION OF SHOP STEWARDS AND PLANT COMMITTEES AS WELL AS TRIKE VOTES BY ALL THE WORKERS, WHETHER UNION MEMBERS OR NOT; (B) TWO OR THREE YEAR TERMS OF OFFICE WITH POSSIBILITY OF ONLY ONE RE-ELECTION; (C) PERIODIC HOLDING OF UNION ASSEMBLIES WITH AMPLE NOTICE BEFOREHAND TO THE AUTHORITIES; (D) CHECK-OFF OF UNION DUES AND OTHER UNION-RELATED SOCIAL CHARGES ONLY FOR UNION MEMBERS; (E) TRIPARTITE ADMINISTRATION OF UNION SOCIAL PROGRAMS BY UNION, EMPLOYER AND GOVERNMENT REPRESENTATIVES; (F) ESTABLISHMENT OF THE PRINCIPLE OF TRADE UNION FEDERALISM BY CONTEMPLATING THREE LEVELS OF UNION EXISTENCE -- UNION, FEDERATION AND CONFEDERATION -- AND STRENGTHENING THE AUTONOMY OF THE PRIMARY-LEVEL ORGANIZATIONS-- THE LOCAL UNION -- BY CHANNELLING THE CHECK-OFF DUES DIRECTLY TO THIS LEVEL, FROM WHENCE THE CORRESPONDING CONTRIBUTIONS COULD BE MADE TO THE FEDERATIONS AND CONFEDERATIONS WITH WHICH THE UNIONS MIGHT BE AFFILIATED; AND (G) PROHIBITION AGAINST UNIONS' ENGAGING IN POLITICAL ACTIVITIES.

5. IT HAS BECOME APPARENT THAT THE JUNTA DID NOT APPROVE THE LABOR MINISTRY'S GUIDELINES IN ITS NOVEMBER 4 MEETING. THE MATTER HAS BEEN RE-EXAMINED AT SEVERAL JUNTA MEETINGS SINCE THEN, THE LATEST MEETING AT WHICH THE SUBJECT WAS ON THE AGENDA HAVING BEEN DECEMBER 6. LAST WEEK, THE PRESS SUGGESTED, THE TRADE UNION QUESTION WAS MOMENTARILY PUT ASIDE BECUASE A MORE FUNDAMENTAL ISSUE WAS DISCUSSED BY THE JUNTA MEMBERS - WHETHER THERE SHOULD BE ANY INSTITUTIONAL CHANGES IN THE STRUCTURE OF THE JUNTA AND IN THE PRESIDENCY (SEPTEL). THIS DEVELOPMENT, AT LEAST MOMENTARILY, APPEARED TO BEAR OUT MANY TRADE UNIONISTS' FEELING ALL ALONG THAT THERE WILL BE NO LABOR OPENING UNTIL THE QUESTION OF ULTIMATE POLITICAL POWER HAS BEEN MORE CLEARLY DEFINED IN THE MILITARY GOVERNMENT. WITH REGARD TO THE LABOR LAW ITSELF, THE NAVY AND THE AIR FORCE REPORTEDLY WISH TO INTRODUCE MORE SUBSTANTIAL REFORMS IN THE LEGISLATION THAN THOSE CONTEMPLATED BY THE LABOR MINISTRY. ONE SUCH REPORTED PROPOSAL WOULD GRANT LEGAL STATUS ONLY TO PRIMARY ORGANIZATIONS, AND NOT TO EITHER FEDERATIONS OR CONFEDERATIONS. PRESUMABLY, THE LATTER TWO TYPES OF ORGANIZATION WOULD BE ALLOWED TO EXIST; BUT WITHOUT LEGAL STATUS, THEY WOULD NOT BE ENTITLED TO EITHER DUES CHECK-OFF OR THE RIGHT TO REPRESENT THEIR AFFILIATES IN COLLECTIVE BARGAINING -- IN OTHER WORDS, THEY WOULD BE DENIED THE TRADITIONAL BASES OF THEIR POWER. THIS PROPOSAL WOULD SEEM TO CONTEMPLATE

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A SYSTEM IN WHICH THERE WOULD BE A SOLE UNION PER EACH INDUSTRIAL SECTOR IN THE FEDERAL CAPITAL AND IN EACH PROVINCE, BUT THERE MIGHT BE MORE THAN ONE FEDERATION OR CONFEDERATION PER SECTOR -- A SITUATION THAT TAXES THE IMAGINATION.

6. ONE PRESS ACCOUNT HAS EVEN SUGGESTED THAT THE PROPONENTS OF THE LATEST IDEA SEE IT AS A MEANS OF DOING AWAY ALTOGETHER WITH THE NATIONAL FEDERATIONS AND THE CGT. BUT THE CREATION OF PARALLEL CENTRALS -- WHETHER LEGAL OR CLANDESTINE -- HAS BEEN PRECISELY WHAT THE LABOR MINISTRY UNDER THE MODERATE ARMY GENERAL LIENDO HAS BEEN TRYING TO AVOID. WHERE THERE IS A PLURALITY OF LABOR ORGANIZATIONS, AT LEAST, SOME OF THEM ARE GOING TO BE LEFTIST-DOMINATED, WHEREAS THE MONOLITHIC ORGANIZATIONAL STRUCTURE DEVELOPED BY THE PERONISTS MINIMIZES THE POSSIBILITY OF SUCH PENETRATION. HARD-LINERS CENTERED IN THE NAVY, HOWEVER, ACCUSE LIENDO AND ARMY CHIEF-OF-STAFF VIOLA OF HARBORING DEMAGOGIC AMBITIONS AND OF BEING THE THE POPULIST MOLD OF ONGANIA, LANUSSE AND, INDEED, OF JUAN PERON HIMSELF. THAT, SAY THE HARD-LINERS, IS THE REAL REASON WHY LIENDO WANTS TO INTRODUCE AS LITTLE CHANGES AS POSSIBLE IN THE PERONIST UNION STRUCTURE AND LEADERSHIP AND TO THWART THE SWEEPING REFORMS WHICH THE ANTI-PERONISTS BELIEVE ARE INDISPENSABLE. GENERAL VIOLA MAY HAVE FED THE WORST FEARS OF HIS HARD-LINE DETRACTORS WHEN, IN HIS IMPORTANT NOV. 16. ADDRESS ON THE OCCASION OF THE

165TH ANNIVERSARY OF THE ARGENTINE ARMY GENERAL STAFF, HE STATED THAT THE PROCESS OF NATIONAL REORGANIZATION BEGUN MARCH 24 WAS NOT INTENDED AGAINST OR IN FAVOR OF ANY SPECIFIC SECTOR; THAT THE ARMY WOULD ACCEPT NEITHER THE RETURN OF THE DISGRACEFUL DEMAGOGIC EXPERIENCE OF THE PAST NOR THE INSTALLATION OF A NEW ELITISM; AND THAT THE ARMY'S OBJECTIVE WAS TO BURY THE STERILE POLITICAL AND CLASS ANTAGONISMS OF THE PAST. PERONIST LABOR LEADERS PRIVATELY HAILED THIS STATEMENT AS A REAFFIRMATION OF THE ARMY'S COMMITMENT NOT TO PURSUE A VENGEFUL POLICY AGAINST THE LABOR SECTOR. POLITICAL OBSERVERS, THOUGHT THAT NAVY COMMANDER AND JUNTA MEMBER ADMIRAL MASSERA WAS RESPONDING TO THE VIOLA SPEECH IN AN OBLIQUE PORTION OF A PUBLIC STATEMENT DECEMBER 1 IN WHICH THE ADMIRAL STATED THAT, IN ADDITION TO DEFENDING THE COUNTRY AGAINST "SOME VERY OBVIOUS ENEMIES SUCH AS THE SUBVERSIVES AND THE CORRUPT ONES, WE OUGHT TO DEFEND OURSELVES FROM OTHERS MUCH MORE DIFFUSE, APPARENTLY LESS DANGEROUS, AND THOSE TO WHOM IT IS NOT EVEN ALLOWED TO ATTRIBUTE

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PERVERSE INTENTIONS."

7. QUESTIONED BY LABATT ON THE RUMORED SNAGS HOLDING UP THE TRADE UNION GUIDELINES, LABOR SEC'Y DALL'ASTA MAINTAINED THAT THE JUNTA'S OBSERVATIONS WHICH HAD BEEN RAISED IN CONNECTION WITH THE MINISTRY DRAFT PROPOSAL HAD BEEN EXAGGERATED IN THE PRESS AND WERE MERELY MATTERS OF MINOR TECHNICAL DETAIL, ILLUSTRATING MORE THAN ANYTHING ELSE THE ARGENTINA PENCHANT FOR THEORETICAL ABSTRACTION UNRELATED TO THE ISSUES AT HAND. THE LABOR SEC'Y JULY EXPECTED THE LABOR MINISTRY'S GUIDELINES TO PREVAIL. HE ALSO EXPECTED THAT THE MINISTRY WOULD BRIEF AND CONSULT THE UNIONS ONCE THE GUIDELINES WERE APPROVED, BUT BEFORE THE GUIDELINES WERE INCORPORATED INTO LAW.

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